

Order

Michigan Supreme Court
Lansing, Michigan

September 10, 2008

Clifford W. Taylor,
Chief Justice

136306

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff/Counter-Defendant-
Appellant,

v

SC: 136306
COA: 274009
Genesee CC: 05-082755-CZ

FISHER HOTEL, a/k/a FISHER HOTEL
ANNEX, a/k/a 4520 & 4626 BRYANT
STREET, FLINT, EXECUTIVE PROPERTY
DEVELOPMENT, L.L.C., and MKD
INVESTMENT, L.L.C.,
Defendants/Counter-Plaintiffs-
Appellees,

and

ALL RESIDENTS,
Defendants.

On order of the Court, the application for leave to appeal the March 25, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals, for the reasons stated in the Court of Appeals dissenting opinion, and we REMAND this case to the Genesee Circuit Court for entry of an order granting the plaintiff's motion for summary disposition.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



10903

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 10, 2008

Corbin R. Davis

Clerk